

**CITY OF SAN BRUNO
PLANNING COMMISSION MEETING
MINUTES
COUNCIL CHAMBERS
567 EL CAMINO REAL
July 18, 2000**

CALL TO ORDER / PLEDGE OF ALLEGIANCE

The meeting was called to order at 7:00 p.m. by Chair Birt.

ROLL CALL

MEMBERS PRESENT: Commissioner Schindler, Commissioner Marshall, Commissioner Tobin, Commissioner Sammut, Vice Chairperson Johnson and Chairperson Birt

MEMBERS ABSENT: Commissioner Petersen

STAFF PRESENT:

Planning Division:	George Foscardo, Community Dev. Director
	Steve Padovan, Associate Planner
	Grant Wilson, Associate Planner
	Michael Limaco, Planning Intern
	Tanya Sullins, Recording Secretary
City Attorney:	Jonathan Lowell

1. **APPROVAL OF MINUTES - MEETING OF MAY 16, 2000**
Motion Johnson / Second Schindler to approve the minutes as is.
2. **COMMUNICATIONS**
Mr. Foscardo introduced new Community Development Secretary, **Tanya Sullins**, and new Planning Intern, **Michael Limaco**.
3. **PUBLIC COMMENT**
None
4. **3220 Fasman Drive - (Tape File 405-A)**
Request for a Conditional Use Permit and Variance to allow the construction of a three-story addition resulting in a greater than 50% increase in gross floor area, a gross floor area of 5,321 sq ft (1.06 FAR), where 2,750 sq. ft. (.55 FAR) is allowed, a lot coverage of 2,397 sq. ft. (.48), where 2,200 sq. ft. (.44) is allowed, a third story, a garage which is larger than 600 sq. ft., and an overall height greater than 35 feet, per Sections 12.200.030.B.1,2,3 & 4, 12.200.040.A, 12.200.080.B, and 12.96.060.D.1 - **Gary Love**, applicant/owner; UP 00-10 and V 00-01. Use Permit 00-10 (Public Hearing), Variance 00-01 (Public Hearing), Environmental Determination: Categorical Exemption, Zoning: Single Family Residential (R-1)

Associate Planner Wilson entered staff report dated July 18, 2000, into the record. A digital photo presentation was provided. Denying project without prejudice was recommended by **Associate Planner Wilson**.

Chairperson Birt asked if the applicant would be required to go back to Architectural Review if this agenda item were denied without prejudice. She wanted to be sure that Council would have the

opportunity to see the revised plans. **Associate Planner Wilson** stated that it would have to go back to Architectural Review, because the application was never forwarded from that point, and they would have to submit another plan.

Commissioner Tobin asked if the applicant would be required to pay fees for the next application if the project were denied without prejudice. **Associate Planner Wilson** replied that it would have to be specifically stated in the findings for denial in order for the fees to be waived.

Public Hearing opened.

Mr. Love approached the stand and apologized for the lack of communication over the past 6 weeks because of injuries. **Mr. Love** acknowledged that there were errors and mistakes in the previous plan. He wants to present a new plan that will work for himself and the neighborhood.

Mr. Chaf, who resides on **Fasman Drive**, brought up his concerns of having a home this large in this neighborhood.

Mr. Johnson resides next door to **3220 Fasman Drive** was concerned but because project is being denied has no concerns.

Mr. Schorenstein resides on **Fasman Drive** for 25 years. He is concerned with the size of the home, and is glad to hear that it has been denied. Showed concern that if next plans will just be a variation of the same sort of thing, the objections will be the same. He hopes that **Mr. Love** will build a "nice" addition.

Public Hearing closed.

Commissioner Sammut recommended to deny without prejudice. He wants the homeowner to know that there are specific reasons why the plan is here tonight. 1) 50% increase in gross floor area 2) Lot coverage 3) height, which is over 35 feet 4) the garage at 600+ feet 5) 3rd story. He wants **Mr. Love** to take these items into consideration when designing the new addition.

Motion Sammut / Second Schindler to deny this project without prejudice based on the following findings of fact, and waive future fees.

FINDINGS OF FACT FOR DENIAL

1. Proper notice of the public hearing was given by legal notice published in the San Bruno Herald, Saturday, July 8, 2000 and notice mailed to property owners within 300 feet of the project site on Friday, July 7, 2000.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.
5. The proposal to construct a three story addition, under the circumstances of the particular case, will be detrimental to the health, safety, morals, comfort and general welfare of the persons

residing in the Pacific Heights neighborhood because the proposal creates a greater deviation from the floor area requirement than previously approved by any San Bruno Planning Commission and the proposed structure will create a large front facade visible, impacting views from the public right-of-way.

6. The proposed three story addition will be injurious and detrimental to the subject property and improvements in the neighborhood or to the general welfare of the city because the gross floor area is not typical of the surrounding single-family homes and the massing of the front elevation could pose visual impacts from the public right-of-way.
7. The proposed single-family residence is consistent with the San Bruno General Plan which designates this parcel for low density residential use.
8. Because the lot is of a standard size and shape and exhibits a typical location and topography, there are no special circumstances applicable at 3220 Fasman Drive for which the strict application of the heights requirements of this article will deprive the subject property of privileges enjoyed by other properties in the vicinity and under the identical R-1 (single-family residential) zone classification.
9. A variance to allow a height of 36 feet, where 35 feet is allowed, would constitute a grant of a special privilege inconsistent with the limitations upon other properties in the vicinity and under the R-1 (single family residential) zoning district in which the property at 3220 Fasman Drive is located.

(**Chairperson Birt** advised of the seven day appeal period).

5. 2330 Toyon Way - (Tape File 405-A)

Request for a Use Permit to allow the construction of a 427 square foot addition to an existing three story, single-family dwelling, resulting in a gross floor area of 3,300 square feet (.59 FAR), where 3,078 square feet (.55) is allowed; per Section 12.200.030.B.2 of the San Bruno Zoning Ordinance- **Gate** and **Vivian Tso**, applicant/ owner; UP 00-14.

Planning Intern Limaco entered staff report dated July 18, 2000, into the record. A digital Photo presentation was provided. **Planning Intern Limaco** stated that the main concern was exceeding the FAR at .59. The allowed FAR is .55, however there have been several projects in the City of San Bruno that have exceeded the .55 FAR which have been approved.

Commissioner Sammut questioned staff about the fact that the deck will eliminate views from the 3rd floor room. **Planning Intern Limaco** stated that since the deck is 14 feet wide and on 3rd level, views from the 3rd floor window will be eliminated. While on the deck the people will be visible, but views from the 3rd floor room will be eliminated. **Commissioner Sammut** was concerned about the issue of privacy.

Public Hearing opened.

The property owners **Mr. Gate Tso** and **Ms. Vivian Tso** were present to respond to questions.

Gate Tso stated that the 3rd story deck is really only one story from the ground, and one can jump from it safely in case of an emergency. His response to **Commissioner Sammut's** question of privacy from the 3rd floor was that there are lots of trees in the back. **Commissioner Tobin** added that the lots sit far enough back that one would not be able to view into the homes on either side because there are trees on both sides, and along the back there is an easement. He didn't believe that it would infringe on anyone's privacy. **Commissioner Schindler** stated that there are several conditions of approval, that the **Tsos'** need to agree with, in particular that it's a single family residence with no rental allowed in the

home. **Commissioner Johnson** asked about the safety of the 3rd story deck, stating that she did not see any stairs from the deck. **Mr. Tso** stated that one can jump from the deck in case of an emergency.

Public Hearing closed.

Commissioner Tobin questioned why in this case a rear entrance or exit is not required from the 3rd story. **Associate Planner Wilson** stated that on a 3rd story under 500 sq. ft., a secondary stairwell is not required. Because of the size of this addition it would not be required, and that the building department has already reviewed these plans and that any modification to egress required would be indicated during full plan check.

Motion Sammut / Second Marshall to approve Use Permit 00-14 subject to the attached Findings of Fact (1-7) and Conditions of Approval (1-11). Approved by unanimous voice vote - **Commissioner Petersen** absent.

FINDINGS FOR APPROVAL

1. Proper notice of the public hearing was given by legal notice published in the San Bruno Herald on Saturday, July 8, 2000, and notice mailed to property owners within 300 feet of the project site on July 7, 2000.
2. Notice of public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.
5. Request for a Use Permit to allow the construction of a 427 square foot addition to an existing three story, single-family dwelling, resulting in a gross floor area of 3,300 square feet (.59 FAR), where 3,078 square feet (.55) is allowed on 2330 Toyon Way will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use because the addition will blend well with the existing home as well as those surrounding, there is adequate parking provided and the use is consistent with surrounding residential uses.
6. The new addition will not be injurious or detrimental to the property, to the improvement of the neighborhood or to the general welfare of the city because the proposal is consistent with the design, architecture, and materials of the existing structure.
7. The proposal for an expanded single-family home is consistent with the San Bruno General Plan which designates the property for single-family residential purposes.

CONDITIONS FOR APPROVAL

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the "Summary of Hearing" to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 00-14 shall not be valid for any purpose. Use Permit 00-14 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the

one (1) year date.

2. Use Permit 00-14 to allow the construction of a 427 square foot addition to an existing three story, single-family dwelling, resulting in a gross floor area of 3,300 square feet (.59 FAR), where 3,078 square feet (.55) is allowed at 2330 Toyon Way shall be built according to plans approved by the Planning Commission on July 18, 2000 labeled Exhibit "B," except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Director of Planning and Building.
3. The applicant shall obtain a City of San Bruno building permit before construction can proceed.
4. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
5. The residence and garage shall be used only as a single-family residential dwelling unit. **No** portion of the residence or garage shall be rented out as a secondary residential dwelling unit.
6. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for revocation of this permit.
7. Prior to final inspection, the windows, trim, roof material, and exterior finish and color on the addition and existing structure shall match.
8. The addition shall be painted to match the existing building
9. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
10. All drainage from the roof drains shall be directed to the City storm drain. Install a new sanitary sewer clean out at the property line per City requirements.
11. Storm water from the roof down-spouts shall be collected and drained to an underground storm water system or through a curb drain to the gutter.

(**Chairperson Birt** advised of the seven day appeal period).

6. 444 Cherry Avenue - (Tape File 405-A)

Request for a Use Permit to allow the construction of a 707 square foot, two-story addition to an existing single-family home resulting in an increase of gross floor area by more than 50% (cumulatively since September 26, 1988) and a one car garage with a gross floor area (not including the garage) of 1,933 square feet, where only 1,825 square feet is allowed; per Sections 12.200.030.B.1, 12.200.060.C and 12.200.080.A.2 of the San Bruno Zoning Ordinance - **James and Margret Dowd**, applicant/owner; UP 00-15.

Associate Planner Wilson entered staff report dated July 18, 2000, into the record. A digital Photo presentation was provided.

Public Hearing opened.

The applicant's representative **Seamus Dowd** was present to respond to questions. **Chairperson Birt** questioned if the reason why this was at the planning commission meeting was because two separate applications were being combined and if these two totaled more than 50%. **Associate Planner Wilson**

stated yes, because if the additions since 1988 are more than 50% of the original floor plan it constitutes as one application. **Commissioner Johnson** after viewing the property, said there appears to be a utility room that is not on the plan. **Seamus Dowd** stated that this is a laundry room with a bathroom, part of the last addition. **Commissioner Johnson** wanted to be clear whether this is a living space or not. **Seamus Dowd** stated that it was not. **Commissioner Tobin** asked if prior projects and unfinished projects have been completed. **Seamus Dowd** stated that they have not been completed yet, but will as soon as owner returns. **Commissioner Tobin** showed concern in starting another project before the last one has been completed.

Public Hearing closed.

Motion Tobin / Second Sammut to approve UP-00-15 subject to the attached Findings of Fact (1-9) and Conditions of Approval (1-18). Approved by unanimous voice vote - **Commissioner Petersen** absent.

FINDINGS FOR APPROVAL

1. Proper notice of the public hearing was given by legal notice published in the San Bruno Herald, Saturday, July 8, 2000, and notice mailed to property owners within 300 feet of the project site on July 7, 2000.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.
5. The use permit request to construct a 707 square foot addition to the single-family home at 444 Cherry Avenue will not be injurious or detrimental to the property and improvement in the neighborhood or to the general welfare of the city because the addition complies with all setback, height, floor area, and lot coverage requirements of the San Bruno Zoning Ordinance.
6. The general appearance of the residential addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the architectural design and materials will match the existing structure as closely as possible.
7. The proposed addition will not unreasonably restrict or interfere with light and air on the property and other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
8. The construction of the addition to the existing residence is consistent with the San Bruno General Plan, which designates the property for low-density residential purposes.
9. The house as proposed will be similar in size to many others in the neighborhood that have single-car garages and the driveway apron is of adequate depth to accommodate an extra vehicle off the street.

CONDITIONS FOR APPROVAL

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the "Summary of Hearing" to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, UP-00-15 shall not be valid for any purpose. UP-00-15 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The proposed addition shall be built according to plans approved by the Planning Commission on July 18, 2000, labeled Exhibit "B," except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Director of Planning and Building.
3. The applicant shall obtain a City of San Bruno building permit before construction can proceed.
4. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
5. Install new sanitary sewer clean-out at property line per City standard.
6. The residence, garage, and addition shall be used only as a single family residential dwelling unit. No portion of the residence or garage shall be rented out as a secondary residential dwelling unit.
7. Address numbers must be at least four inches in height, of a contrasting color to the background and must be lighted during the hours of darkness.
8. Sliding doors and windows which are accessible from the ground (or on a balcony) must have lift out resisting hardware and secondary locks.
9. Exterior entry doors (including pedestrian garage entry door) on the house are to be metal or 1-3/4" solid core wood with a deadbolt lock with a bolt throw of at least one inch. The front door must have a 190 degree peep viewer unless there are vision panels in or around the door.
10. Any windows in or adjacent to the front door and within reach (40") of the door locking device are to have burglary resistant glazing or be equivalently resistant.
11. If any French doors are installed, the inactive leaf must have floor and ceiling extension bolts of at least 3/4" throw.
12. The addition shall use exterior building materials which are compatible with the existing residence as indicated on the plans.
13. The designer shall ensure that the existing water service is sufficient for the new addition. Submit hydraulic calculation to the City of San Bruno Public Works Department for review if upsizing is necessary.
14. The homeowner shall ensure that the existing sewer service is adequate to handle the additional bathrooms as planned.
15. Storm water from the new addition roof down-spout shall be collected and drained to an underground storm water system or through a curb drain to the gutter.
16. Install a sewer lateral clean-out at the property line.

17. All work related to the prior minor modification permit shall be completed prior to construction related to this permit.
18. The garage shall be used for the storage of vehicles. No part of the garage shall be used as living space.

(Chairperson Birt advised of the seven day appeal period).

7. 131 Cabrillo Way - (Tape File 405-A)

Request for a Variance to allow replacement of an existing 540 square foot garage with a substandard side yard setback with a 630 square foot garage with a four (4") inch setback, where five (5') feet is required; per Sections 12.84.140.B and 12.96.060.D.5 of the San Bruno Zoning Ordinance - Charles and Kathleen Clark, applicant/owner; V-00-02.

Associate Planner Wilson entered staff report dated July 18, 2000, into the record. A digital Photo presentation was provided.

Public Hearing opened.

Commissioner Schindler was concerned how the owners would go about building a stucco wall 4 inches away from the neighbors property line. **Associate Planner Wilson** stated that the owner should be able to go onto the neighboring property to do the work with the neighbors permission.

Commissioner Marshall asked if there is a provision about temporary fencing during construction.

Associate Planner Wilson stated that the owner and neighbor would have to come to some sort of agreement.

The applicant **Kathleen Clark** was present to respond to questions.

Chairperson Birt asked owner if she has spoken to neighbors regarding the construction. **Kathleen Clark** stated that she has not, but it would not be a problem putting up a new fence. **Commissioner Tobin** also asked if the hot water heater was going to be moved and if so, wanted to be sure the owner knew about the elevation and strapping codes. **Kathleen Clark** stated that the hot water heater will be moved to a more safe location in the garage, and will be sure to have it properly elevated and strapped.

Public hearing closed.

Motion Sammut / Second Marshall to approve Variance 00-02 subject to the attached Findings of Fact (1-10) and Conditions of Approval (1-15). Approved by unanimous voice vote - **Commissioner Petersen** absent.

FINDINGS FOR APPROVAL

1. Proper notice of the public hearing was given by legal notice published in the San Bruno Herald, Saturday, July 8, 2000, and 73 notices mailed to property owners within 300 feet of the project site on July 7, 2000.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.

4. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.
5. The general appearance of the garage replacement is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the existing structure and the style of architecture is similar to other homes in the neighborhood.
6. The proposed garage replacement will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
7. The construction of the garage replacement is consistent with the San Bruno General Plan, which designates the property for low density residential purposes.
8. The off-street parking should be adequate for the residence because the proposal calls for replacing a non-conforming single-car garage with a two (2) car garage, and maintaining a driveway apron for multiple vehicles.
9. Due to the existing development of the subject property and well as those surrounding, the strict application of this article will deprive the property of privileges enjoyed by other properties in the vicinity and under identical single-family residential zone classification. The subject property proposes a non-conforming side yard setback between the garage and south property line, similar to many properties in the surrounding neighborhood. The denial of the proposal which meets the majority of city zoning standards and does not effect surrounding property owners would constitute a significant hardship and deprive the property owner of privileges enjoyed by similar residential properties.
10. The granting of this Variance, as conditioned, does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and in the single-family residential zone district in which the subject property is located. A significant number of lots in the surrounding area have some form of nonconforming side yard setbacks and the ability to develop their property within the requirements of the Zoning Ordinance is similarly constrained and would justify the granting of a Variance.

CONDITIONS FOR APPROVAL

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the "Summary of Hearing" to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Variance 00-02 shall not be valid for any purpose. Variance 00-02 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The **request for a Variance to allow the reconstruction of a garage attached to an existing one-story dwelling resulting in a substandard side yard setback** shall be built according to plans approved by the Planning Commission on July 18, 2000, labeled Exhibit "B," except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Director of Planning and Building.
3. The applicant shall obtain a City of San Bruno building permit before construction can proceed.
4. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.

5. The residence and garage shall be used only as a single-family residential dwelling unit. No portion of the residence or garage shall be rented out as a secondary residential dwelling unit.
6. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for revocation of this permit.
7. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
8. Sliding doors and windows which are accessible from the ground (or on a balcony) must have lift out resisting hardware and secondary locks.
9. If the color of the new garage is found to be inconsistent with the paint scheme of the house, the house shall be repainted to match the garage.
10. All drainage from the roof drains shall be directed to the City storm drain.

Department of Public Works - (650) 616-7065

11. Materials and debris shall not be stockpiled within the City right-of-way.
12. Install a sewer clean-out at the property line.
13. The roof spout shall be collected to a drainage system that discharge the storm water thru a curb drain.
14. Remove and replace broken sidewalk, curb, and gutter.
15. Obtain an encroachment permit from the Department of Public Works for any work in the City right-of -way.

(Chairperson Birt advised of the seven day appeal period).

8. 440 Chestnut Ave - (Tape File 405-B)

Request for a Use Permit to construct a 227 square foot addition to the main floor of an existing single-family dwelling which results in a gross living area exceeding 1,825 sq. ft. of living space with a one car garage; per Section 12.200.030.B.5 and 12.200.080.A.2 of the San Bruno Zoning Ordinance - **Tony DeBattista**, applicant; **Tony DeBattista**, owner; UP 00-18.

Planning Intern Limaco entered staff report dated July 18, 2000 into the record. A digital Photo presentation was provided.

Public Hearing opened.

The applicant **Tony DeBattista** was present to respond to questions.

Commissioner Johnson stated that the existing conditions looked unsafe any improvements would be good. She wanted to know if they were just adding a small piece and restructuring the deck downstairs. **Tony DeBattista** confirmed.

Public Hearing closed.

Motion Tobin / Second Johnson to approve Use Permit 00-18 subject to the attached Findings of

Fact (1- 7) and Conditions of Approval (1-10). Approved by unanimous voice vote - **Commissioner Petersen** absent.

FINDINGS FOR APPROVAL

1. Proper notice of the public hearing was given by legal notice published in the San Bruno Herald, Saturday, July 8, 2000 and notice mailed to property owners within 300 feet of the project site on July 7, 2000.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.
5. The request for a Use Permit to construct a 227 square foot addition to the main floor of an existing single-family dwelling which results in a gross living area exceeding 1,825 sq. ft. of living space with a one car garage on 440 Chestnut Ave. will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use because the addition will blend well with the existing home as well as those surrounding, there is adequate parking provided and the use is consistent with surrounding residential uses.
6. The new addition will not be injurious or detrimental to the property, to the improvement of the neighborhood or to the general welfare of the city because the proposal is consistent with the size and scale of the surrounding neighborhood and the design, architecture, and materials will match the existing structure.
7. The proposal for an expanded single-family home is consistent with the San Bruno General Plan which designates the property for low-density residential purposes.

CONDITIONS FOR APPROVAL

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the "Summary of Hearing" to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit shall not be valid for any purpose. Use Permit shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The request for a Use Permit to allow the construction of a 227 square foot addition to the rear of an existing single-family dwelling resulting in a living area greater than 1,825 square feet with a one car garage at 440 Chestnut Avenue shall be built according to plans approved by the Planning Commission on July 18, 2000 labeled Exhibit "B," except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Director of Planning and Building.
3. The applicant shall obtain a City of San Bruno building permit before construction can proceed.
4. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.

5. The residence and garage shall be used only as a single-family residential dwelling unit. **No** portion of the residence or garage shall be rented out as a secondary residential dwelling unit.
6. A roll-up garage door shall be installed and indicated on all plans.
7. The cement slab protruding from the entryway into the garage shall be removed during construction to allow parking in the garage. This shall be clearly indicated on all plans.
8. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for revocation of this permit.
9. Prior to final inspection, the windows, trim, roof material, and exterior finish and color on the addition and existing structure shall match.
10. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.

(**Chairperson Birt** advised of the seven day appeal period).

9. 900 El Camino Real (Tape File 405-B)

Request for a Use Permit and Architectural Review to establish a used car sales facility, designated as a Conditional Use, to be located in the General Commercial Zoning District including related building, parking and landscaping improvements which is visible from the public right-of-way; per Chapter 12.108 and Section 12.96.110.C.8 of the San Bruno Zoning Ordinance - **Said Hattar**, applicant; **Edward O’Grauf**, owner; UP-00-17.

Associate Planner Padovan stated that the applicant has asked to withdraw their application because they were not able to get approval from property owner. Asked for motion to withdraw the application.

Chairperson Birt asked if any action will be taken to the current owner considering that the lot is in need of repair. **Associate Planner Padovan** stated that a letter will be sent to the owner to get any unregistered vehicles, and to correct any additional code violations, by the end of the week.

900 El Camino Real application withdrawn.

10. SE Corner of Highway 35/Berkshire Drive - (Tape File 405-B)

Request for a Use Permit to allow for the installation of wireless communications antennae for Pacific Bell Wireless 20 feet high on an existing 43 foot utility pole and a micro cell near the base of the pole, resulting in a change which would be visible from the public right-of-way; per Sections 12.84.090.D and 12.108.010.A of the San Bruno Zoning Ordinance - **Pacific Bell Wireless/Michael Li**, applicant; **Northern California Joint Pole Association**, owner; UP 00-16 and AR 00-07

Associate Planner Padovan entered staff report dated July 18, 2000 into the record. A digital Photo presentation was provided.

Commissioner Sammut wanted to confirm that the pole they were discussing was the tallest pole in the picture. **Associate Planner Padovan** confirmed that it was.

The applicant **Michael Li** with **Pacific Bell Wireless** was present to respond to questions.

Commissioner Schindler asked if this equipment would be vandal proof. **Michael Li** confirmed that there are locks on the equipment itself, and the equipment is high enough off the ground that one would need a ladder to actually get to it. **Commissioner Johnson** wanted to know if this would improve the cellular coverage on **Skyline**. **Michael Li** confirmed that it would. **Commissioner Tobin** asked if this was a radius of ½ mile. **Michael Li** stated that it is a stretch of about 600 feet. **Commissioner Tobin** asked about the height of the antenna. **Chairperson Birt** asked if **Pacific Bell Wireless** will be coming back with another application soon. **Michael Li** stated that they would be requesting one more off of Crestwood Drive looking onto 280. **Commissioner Johnson** asked if anything was going to be done about the reception on Skyline Blvd. South of San Bruno Ave. **Michael Li** said that they are looking at a site on SM County land that should cover that area.

Hank Shaft asked if **Pacific Bell** was paying a monthly rent for this property. **Michael Li** stated that in this situation the site is on a utility pole that is under the jurisdiction of a non profit organization that **Pacific Bell** is a member of. This allows them to purchase a section of the pole, and they will be the owner of this section.

Commissioner Tobin thinks that these poles will make the corner look unpleasing. He would like to see these put underground. **Commissioner Sammut** thinks that it would be difficult to put cellular underground, and all of the cellular companies that have come before the commission have been very cooperative. They have made sure that these blend in with the existing architecture. He appreciates them utilizing existing structures to accommodate their needs. He is in support of these projects.

Motion Johnson / Second Schindler to approve Architectural Review Permit 00-07 and Use Permit 00-16 subject to the attached Findings of Fact (1-8) and Conditions (1-10) . Approved by majority voice vote - **Commissioner Tobin** denied - **Commissioner Petersen** absent.

(**Chairperson Birt** advised of the seven day appeal period).

11. 3051 Fleetwood Drive (Tape File 405-B)

Request for a use permit to allow for the installation of wireless communications antennae for **GTE Wireless** on an existing 90 foot PG&E electrical transmission tower and an equipment shelter under the tower at the rear of an existing single family residence which would be visible from the public right-of-way; per Sections 12.84.090.D, 12.84.160, and 12.108.010.A of the San Bruno Zoning Ordinance - **GTE Wireless**, applicant; **Samuel Giles**, owner - UP-00-13 and AR-00-06.

Associate Planner Padovan entered staff report dated July 18, 2000 into the record. A digital Photo presentation was provided.

Commissioner Schindler stated that when this came to the Architectural Review he asked where he would be able to see a similar situation, and he was directed to the cell site behind OSH in Millbrae. The noise from the equipment was noticeable. He is concerned that this will disturb the neighbors.

Public Hearing opened.

Applicant **Mr. Art Najera** with **GTE Wireless**. **GTE** is in agreement with all comments from the Architectural Review Board, and conditions of approval listed in staff report. He commented on **Commissioner Schindler's** concerns and stated that any air conditioning and mechanical equipment will be installed according to any performance standards that the city has for noise emissions. Any air-conditioning unit will be at or below the allowable decibel level allowed in a residential neighborhood. **Chairperson Birt** wanted to know the area **GTE** is targeting. **Mr. Najera** stated that it was along HWY 35. **Chairperson Birt** asked about sharing airwaves, and **Mr. Najera** stated that there is a slight

difference in coverage objectives. **Chairperson Birt** asked of any additional proposals for sites in San Bruno, and **Mr. Najera** replied that they are not. **Commissioner Marshal** asked why the antenna requires AC as opposed to the previous applicant. **Mr. Nigera** replied that because it is located in an enclosed shelter. The equipment needs to be kept at a steady air temperature. **Associate Planner Padovan** stated that this site is to be a macrocell versus the previous applicant's microcell. This site is to provide service to a larger area. **Commissioner Johnson** asked if only **GTE** customers would benefit from this site, and **Mr. Najera** confirmed that it would only benefit **GTE** customers. **Commissioner Sammut** asked if about maintaining the surrounding area. **Mr. Najera** stated that they will maintain to Caltrans or PG&E requirements, but will keep a wider area free of weeds if required by the city.

Public Hearing closed.

Commissioner Schindler asked about the noise that this site generates and wanted to be sure that the noise will satisfy the city's requirements of decibel rating. **Associate Planner Padovan** suggested that these units could face Skyline and HWY 35 so the noise could be directed that way. **Mr. Russ Benson GTE engineer** stated that the AC unit would be moved to the side of the building that faces HWY 35 to keep the noise to a minimum.. **Commissioner Schindler** wanted to be sure to add this into the motion that this is reviewed and address any complaints. **Chairperson Birt** accepted this as part of the motion. **Commissioner Sammut** stated that conditions 7,13 & 15 take care of his landscaping concerns.

Motion Johnson / Second Sammut to approve Architectural Review Permit 00-06 and Use Permit 00-13 subject to the attached Findings of Fact (1-8) and Conditions of approval (1-18) . Approved by unanimous voice vote - **Commissioner Petersen** absent.

(**Chairperson Birt** advised of the seven day appeal period).

FINDINGS OF FACT FOR APPROVAL

1. Proper notice of the public hearing was given by legal notice published in the San Bruno Herald, Saturday, July 8, 2000, and notice mailed to property owners within 300 feet of the project site on July 7, 2000.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The Use Permit and Architectural Review Permit to allow for the installation of wireless communications antennae for GTE Wireless on an existing 90 foot PG&E electrical transmission tower and an equipment shelter under the tower at the rear of an existing single family residence which would be visible from the public right-of-way at 3051 Fleetwood Drive will not be injurious or detrimental to properties and improvements in the neighborhood or to the general welfare of the city because the equipment will be painted to blend with existing structures and landscaping and there are no discernable health risks associated with this type of technology.
5. The general appearance of the antennae are in keeping with the character of the area and will not be detrimental to the adjacent real property because the antennae are located on an existing tower and mounted no taller than the maximum permitted, will be matching in color to

surrounding structures, and the inclusion of landscaping reduces visual impacts.

6. The proposed antennae will not unreasonably restrict or interfere with light and air on the property and other properties in the vicinity, will not hinder or discourage the appropriate development and use of the residential uses in the surrounding neighborhood, nor impair the value thereof, and is consistent with the design and scale of the surrounding structures. The antennae will not exceed the maximum height in the residential area and due to their size and location on an existing utility pole, should not have any impact on light and air to adjacent properties.
7. The construction of the antennae is consistent with the San Bruno General Plan, which allows for accessory structures for communications purposes.
8. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 11, Section 15311: Construction of minor structures accessory to existing commercial facilities.

CONDITIONS OF APPROVAL:

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the "Summary of Hearing" to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed the Use Permit (UP 00-13) and Architectural Review Permit (AR 00-06) shall not be valid for any purpose. The use permit shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one year date.
2. The proposed installation of wireless communications antennae for GTE Wireless on an existing 90 foot PG&E electrical transmission tower and an equipment shelter under the tower at the rear of an existing single family residence which would be visible from the public right-of-way at 3051 Fleetwood Drive shall be built according to the plans approved by the Planning Commission on July 18, 2000 labeled Exhibit "B", except as required to be modified by these conditions of approval. Any modification to the approved plans shall require prior review and approval by the Community Development Director.
3. The applicant shall obtain a City building permit before construction can proceed.
4. The antennae panels shall be mounted no higher than 53 feet above grade as measured from the base of the tower. The antennae panels, all cable trays and any other cabling and connection attached to the tower shall be painted to match the existing natural galvanized metal color of the tower.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City.
6. The contractor/GTE Wireless shall repair any and all damage done to existing facilities including but not limited to the repair of all fencing, landscaping, and structures. Contractor shall contact USA prior to any trenching.
7. Remove all trash, debris and dead landscaping from the immediate area and maintain the site in a trash and debris free state. No removal of trees or large shrubs are permitted.
8. Should this facility cease to operate for a period of six months, all appurtenant structures shall be removed by the applicant.
9. No signage shall be placed on or attached to the antennae or accessory equipment.

10. Submit, for permit, structural plans for connections to the tower.
11. The tower shall be enclosed by redwood fence matching the style of the adjacent residential fences.
12. The Equipment Shed shall be painted an earth tone color to blend with existing fencing and landscaping.
13. New landscaping shall be planted along the perimeter of the lease area to screen the equipment structure. Landscaping shall consist of tall shrubs that are drought tolerant and native to the region. Plants shall be placed at 5 foot intervals and shall be irrigated for a minimum of two years to allow them to get established. A performance bond shall be posted with the City for a period of three years with the value based on the replacement of the landscaping and for installation.

Engineering Division

14. Show all property lines and all easements on the building plans. Indicate all existing utilities within the easement.
15. Submit letters of permission from all property owners whom the access road crosses and from PG&E and the property owner to use the tower.
16. A grading permit shall be required for general grading. Show all cut and fill quantities on plans. A soils report is required for grading work.
17. Provide one 2A10BC rated fire extinguisher on the job site during construction.
18. Air conditioning units shall be located along the west side of the equipment shed with all openings and vents facing Skyline Boulevard.

SPECIFIC PLAN STUDY SESSION

Associate Planner Padovan gave brief update regarding the Citizens Advisory Committee meeting on June 22nd. They finished reviewing the policy statements which will be incorporated into the specific plan. There was agreement on everything except a pedestrian bridge, which has been deleted as part of the recommendation from the Citizens Advisory Committee. The draft plan should be delivered tomorrow (7/19). **Associate Planner Padovan** brought up two significant meetings that were held today (7/18). Regarding the new intersection mid-block between Sneath and I-380. Met w/CalTrans in Oakland, and were receptive to some of staff's ideas. Second meeting was with Tanforan regarding the location for the intersection. Looking for a date in October for Navy to put property up for bid, and sale in January.

CITY STAFF DISCUSSION

Community Development Director Foscardo announced next Architectural Review meeting to be held on Thursday, August 10. **Commissioner Sammut, Commissioner Schindler,** and **Commissioner Tobin** volunteered to attend. The next Planning Commission meetings will be held on August 15th & 29th. **Community Development Director Foscardo** also announced the departure of **Assistant Planner Raffi Boloyan**. **Commissioner Johnson** asked staff if they were aware of any other cities who are having obstacles with the wireless industry. **Associate Planner Padovan** stated that because of the mountainous region in San Bruno, more sites are going to be needed than some other cities. **Commissioner Johnson** asked about other obstacles or medical issues, and **Associate**

Planner Padovan stated that we are not permitted to look at the medical part of the issue as a reviewing standard, but also have not heard of anything. **Community Development Director Foscardo** stated only two sites have been turned down because of aesthetics. **Commissioner Schindler** asked about the lot on the top of the hill on San Bruno Ave, with the chain link fence around a cargo box. Also asked about Bayhill Shopping Center and how the bank changed to a restaurant without going to the planning commission first. **Community Development Director Foscardo** stated that it did go to the Architectural Review first. The other issue regarding the storage area. **Associate Planner Padovan** stated that the county health department found contamination on site and the storage container holds equipment to analyze the contamination. They will come up with a plan to clean up the site. **Community Development Director Foscardo** stated that the gas station at the top of the hill could be turned over to the redevelopment agency for potential action. Regarding the other gas station across from Bakers Square, the previous lessee bailed on project, and left it w/o fencing, and the Public Works Department had it fenced off, but will be working with the new owner but there is contamination also. **Chairperson Birt** asked about the application for the lot on San Luis Avenue. **Community Development Director Foscardo** stated that it is scheduled for City Council on Tuesday. Recommendation is for denial, but will wait to see what City Council has to say. **Chairperson Birt** asked about parking lot behind Mollie Stones, **Community Development Director Foscardo** stated that they have not come through with it yet, and the City hasn't heard anything from the new Management. **Commissioner Sammut** asked about the clean up of the lot behind Jiffy Lube, **Community Development Director Foscardo** said he would check with the owner about the clean up. He discussed that a new program for code compliance is currently being implemented. **Commissioner Tobin** asked about any future changes to any antiquated codes. **Community Development Director Foscardo** doesn't anticipate any other than the ones that have just been enacted.

Adjournment

The meeting was adjourned at 8:50 p.m.

George Foscardo
Secretary to the Planning Commission
City of San Bruno

Terry Birt, Chairperson
Planning Commission
City of San Bruno

NEXT MEETING: Regular Meeting August 15, 2000, City Hall, 567 El Camino Real, San Bruno, CA

GF/ts